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8 BEFORE THE
9 PHYSICIAN ASSISTANT EXAMINING COMMITTEE
10 DIVISION OF ALLIED HEALTH PROFESSIONS
11 MEDICAL BOARD OF CALIFORNIA
12 DEPARTMENT OF CONSUMER AFFAIRS
13 STATE OF CALIFORNIA
14

15 In the Matter of the Accusation)	No. D-4812
Against:)	
16 Nicholas M. DRAMIS, P.A.)	ACCUSATION
17 8 Saturn Circle)	
18 Rancho Mirage, California 92270)	
19 Physician Assistant License)	
No. PA11756,)	
20 Respondent.)	

21
22 COMES NOW Complainant Ray E. Dale, who as cause for
23 disciplinary action, alleges:

24 1. Complainant is the Executive officer of the
25 California State Physician Assistant Examining Committee
26 (hereafter the "Committee") and makes and files this accusation
27 solely in his official capacity.

1 LICENSE STATUS

2 2. On or about January 21, 1986, Physician Assistant
3 License No. PA 11756 was issued by the Committee to
4 Nicholas M. Dramis, P.A. (hereafter "respondent"), and at all
5 times relevant herein, said Physician Assistant Certificate
6 was, and currently is, in full force and effect.

7 STATUTES

8 3. Business and Professions Code section 3527 provides
9 that the Committee may order the suspension or revocation or
10 impose probationary conditions upon a physician assistant
11 certificate for unprofessional conduct which includes, but is not
12 limited to, a violation of the Physician Assistant Practice
13 Act, a violation of the Medical Practice Act, or a violation of
14 the regulations adopted by the Committee or the Medical Board.

15 4. Business and Professions Code section 3531 provides
16 that the conviction of any offense which is substantially related
17 to the qualifications, functions, or duties of the business or
18 profession to which the license was issued constitutes
19 unprofessional conduct.

20 5. Business and Professions Code section 2261 defines
21 as unprofessional conduct the making or signing of any
22 certificate or other document, directly or indirectly related to
23 the practice of medicine, which falsely represents the existence
24 or nonexistence of a set of facts.

25 6. Business and Professions Code section 2234,
26 subdivision (e), defines unprofessional conduct for which the
27 Division of Medical Quality may discipline a licentiate to

1 include "the commission of any act involving . . . dishonesty or
2 corruption which is substantially related to the qualifications,
3 functions, or duties of a physician and surgeon."

4 CHARGES AND ALLEGATIONS

5 7. Respondent is subject to disciplinary action
6 pursuant to Business and Professions Code section 3531 in that
7 respondent has been convicted of an offense substantially related
8 to the qualifications, functions, or duties of a physician
9 assistant, as follows:

10 A. On or about August 14, 1990, in the Municipal
11 Court of California, Desert Judicial District, County
12 of Riverside, in the case of *People of the State of*
13 *California v. Nickolas Michael Dramis*, Case No. 106536,
14 respondent pled guilty to section 602 of the Penal
15 Code, trespass, was fined \$275.00, and was placed on
16 two years probation.

17 B. The circumstances surrounding the conviction
18 of respondent are as follows:

19 On March 28, 1990, respondent entered the
20 residence of another person uninvited, and pushed and
21 threatened J.F., his girlfriend. J.F. left the
22 residence and got into her car. Respondent followed
23 J.F. to her car where he again threatened her and began
24 to pound on J.F.'s vehicle. J.F. drove away from the
25 condo. Respondent got into his car and followed J.F.
26 J.F. drove into a gas station where respondent again
27 blocked her in so she could not leave. The Palm

1 Springs police officers arrived and placed respondent
2 under arrest and charged him with a violation of
3 section 242 of the Penal Code (battery).

4 C. On or about August 17, 1989, in the Municipal
5 Court of California, Desert Judicial District, County
6 of Riverside, in the case of *People of the State of*
7 *California v. Nickolas Michael Dramis*, Case No. 098166,
8 respondent pled guilty to section 148 of the Penal
9 Code, resisting arrest by public or peace officers in
10 the discharge of their duties, was fined \$533.00, was
11 ordered to have no negative contact with his ex-wife,
12 and was placed on probation for three years.

13 D. The circumstances surrounding the conviction
14 of respondent are as follows:

15 On July 22, 1989, respondent met with his
16 estranged wife, M.D., to discuss child custody.
17 Respondent became upset and began to pull her hair and
18 push her around the condo. M.D. called the Palm
19 Springs Police Department. After M.D. gave her report
20 to the police officers, respondent was placed under
21 arrest. Respondent became upset and kicked one of the
22 arresting police officers.

23 8. Respondent is subject to disciplinary action pursuant to
24 Business and Professions Code sections 2261 and 2234(e) in that
25 respondent did cause or make a false document directly or
26 indirectly related to the practice of medicine, as follows:

27 ///

A. On or about January 19, 1991, respondent did prescribe medication, Vicodine, for a patient using the name of Dr. Henry Bellaci and the Desert Medical Group. The prescription was phoned in by respondent to the pharmacist at Best Pharmacy in Palm Springs using Dr. Bellaci's D.E.A. number.

B. Dr. Bellaci did not authorize the prescription. The patient was not a patient of Dr. Bellaci. The patient was not a patient of Desert Medical Group at the time and did not have a medical chart there. Thus, the respondent's prescription was illegal, false, and unauthorized.

WHEREFORE, complainant requests that the Committee hold a hearing on the matters alleged herein, and that following said hearing, the Committee issue a decision:

1. Revoking or suspending Physician Assistant
Number PA11756, heretofore issued to respondent,
Nicholas M. Dramis, P.A.;

2. Taking such other and further action as the Committee deems appropriate to protect the public health, safety and welfare.

Dated: July 9, 1992

RAY E. DALE, Executive Director
Physician Assistant Examining Committee
Div. of Allied Health Professions
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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